

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 13-00441-01-CR-W-GAF</b>
	)	
<b>VERNA CHERYL WOMACK,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Now before the Court is Defendant's Motion to Dismiss the Indictment Pursuant to Fed.R.Crim.P. 12(b)(3)(B) (Docs. 72 and 73)<sup>1</sup> because the Indictment is defective and otherwise fails to state an offense.

On November 25, 2015, Chief United States Magistrate Judge Sarah W. Hays issued her Report and Recommendation (Doc. 139). On December 9, 2015, Defendant's Objections to the Report and Recommendation (Doc. 140) were filed.

Upon careful and independent review of the pending motion, Defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of Chief United States Magistrate Judge Sarah W. Hays.

Accordingly, it is hereby ORDERED that Defendant's Motion to Dismiss the Indictment Pursuant to Fed.R.Crim.P. 12(b)(3)(B) (Docs. 72 and 73) is OVERRULED and DENIED.

SO ORDERED.

s/ Gary A. Fenner  
GARY A. FENNER, JUDGE  
UNITED STATES DISTRICT COURT

DATED: December 14, 2015

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<sup>1</sup> Doc. 72 is a redacted version of Defendant's motion, and Doc. 73 is an unredacted version filed under seal.